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TWO CENTS.

WATER CAUSES DELAY DELAYED FIVE YEARS

Grant Statue Excavations.

ans to Locating Memorial There.

Botanic Garden on "Made Ground." Swampy, Soggy and the Very Lowest in the City.

Strong objection against locating These are a few of the questions that the monument in such a swampy Senator Martin and Representative Carlin eran soldiers.

and memorial trees in the Botanic Gar- street location as about as inconvenient selected for the erection of the proposed It was learned today that the tree mov-Hicks & Son, the contractors, in excavating about the Crittenden peace oak have fares. at the the depth of about seven feet beneath the surface of the ground struck what Mr. Hicks describes as "river bot-

In other words, the records show that beneath the site is the bed of an old creek which in years long ago meandered southward over that particular territory on its winding way to the Potomac. In the course of events, including the creation of the picturesque Botanic Garden rare foreign and domestic flowers and plants, the creek was filled in. Layer by creek until the ground reached its present grade. But beneath the surface the conditions remain soggy and swampy, and when the workmen reached a depth Crittenden oak water began to rise rapidly and filled the excavation So great was the flow that Mr. Hicks found it necessary to employ immediate means of pumping out the water, and some of the diggers and root dissectors

were formed into a sort of emergency corps of water pumpers. Swampy Conditions.

"A fine place, indeed, to place the foundation of a great monument in memory of Gen. Grant," a venerable citizen remarked, with a touch of sarcasm, as he watched the waters of the ancient creek tions are watery and swampy at a depth of six or seven feet, what will they be when a much greater depth is attempted trary act of the Commissioners in selectfor the foundation of the statue?"

Another citizen described a picture he had in mind of the future with the statue of the man of Appomattox slowly sinking out of sight in the marshiness that lies beneath the greensward at the east end

Along the sides of the excavations that have been made about the sites of the Crittenden oak and the Beck and Shepherd elms can be seen the several layers of earth and debris-ashes, oyster shells pleted-and no immediate prospect of the and what not-with which the creek bed was covered from time to time in the process of its filling. That the character if used as foundation of a statue of great weight was the opinion expressed today by several persons who watched the workmen pumping the water from the exca-

It was recalled that many years ago the was a stretch of swamp land with several feeders to the James creek and old Tiber creek in the shape of smaller Therefore the proposed obscuring of the

is not looked upon with favor by some of the veterans who followed his for tunes through the fire and smoke of battle in the civil war. It is said to be probable that action against the site selected by the straight-line park system faddists may be taken by several of the soldier organizations of the District and elsewhere before it is too late. In the meantime the bucket brigade will continue to bail out the submerged waters of the old creek, it is said.

Experts Employed.

his nurseries at Westbury. Nassau coun- car service except the Mount Vernon cold contracted during the hol'days. He bride's brother announced that Mrs. Earle crat. It is understood that all three of ty. N. Y. fourteen expert tree-movers and also found it necessary to employ the local service and which does not transfered a second abscess, in his left ear, and that in all probability some the local service and which does not transfered a second abscess, in his left ear, and that in all probability some the local service and which does not transfered a second abscess, in his left ear, and that in all probability some the local service and which does not transfered a second abscess. also found it necessary to employ twelve for to the intersecting line at the avenue. local laborers. He found that the roots This site proposed by the Commissioners is returning to Washington about the mid- be gone through in this city. of the big trees, especially the Crittenden the most inconvenient, by reason of this dle of March, a short time after which a According to Mrs. Earle's brother, the oak, radiated from fifteen to eighteen feet lack of street car facilities, that could be third abscess appeared, in his left ear. He couple intend to make their future home PROPOSED CAPITOL ORNAMENT. from the trunk. These roots, great and selected. small, he added, were dissected and carafully wrapped in moss and burlap to prevent injury in the process of transferring because that also contemplated the taking them to the other sites.

After digging down about six feet about South Washington have assured me, fined to George Washington University his wife for his affinity spread. A crowd the Crittenden oak the workmen tunneled through the president of their association. Hospital for some time. under it at that layer in order to get at Mr. Johnson, that they would be very the principal roots. Mr. Hicks said he glad to have a station erected on the found the tap root of the oak divided company's property near the 7th street into fibers at the water level-in the bed line. Senator Martin and I recently inof the old creek. The division of the spected the various sites proposed and nations to the Senate today: tap root into the fibers was due to the determined to prevent the erection of the river bottom conditions found there as station at 14th street if possible and to described. There were much water and compel its immediate erection at 7th sand, also gravelly conditions, such as street if it is in our power to bring this R. Smith. Paymaster to be deputy pay- for a share in the residue of the estate are found in the bea of a stream. The about. tap root could not continue its normal growth through the watery and miry soil. The creek bottom about the oak and elms was found to have been filled in to a depth of at least seven or eight feet from the surface.

It is proposed to get the Crittenden people of the south who come to Washmemorial oak upon "jacks" by tomor- ington simply by changing their opinion row afternoon, if possible, and move it as to the 14th street location and direct-

soil will be carried with it. Believes Trees Will Thrive.

big oak living and thriving after its re- made, and, also, that tracks would have moval. Mr. Hicks referred to a number to be crossed. The 7th street site is al- William S. Shackle te. of great oak trees he had moved in the thrived and increased in both size and demand immediate construction of this vey, Wolfeboro (late Wolfboro).

"It is my candid opinion," he said, "that pany to delay any further, waiting for the Crittenden oak will thrive after its re- Congress to present them with a site. moval. In order to insure this, we are adapting methods to the tree instead of

following the usual order."

Workmen Reach Stream in South Washington Waiting for a Railway Station.

ANCIENT CREEK BOTTOM COMMISSIONERS BLAMED

Objections Upon the Part of Veter- Mr. Carlin Says They Selected Site on Government Land.

SITE DECLARED TO BE UNFIT ACTION BY CONGRESS NEEDED

Apparent Local Indifference to the Convenience of Commuters From Adjacent Places in Virginia.

Where is the railway station for South The workmen engaged in ex- Washington that was provided for in the cavating about the Crittenden Union station act of 1903? Why hasn't the memorial oak tree, in the east side site been selected, and why, after five long years, isn't some effort being made of the Botanic Garden, where it by the proper authorities to secure the is proposed to locate the great immediate construction of this station? Grant statue, struck water today Why have the District Commissioners recin such quantities that a force of ed on government land, valued at nearly men is kept busy pumping it from \$100,000, located on 14th street, where the hole. An ancient creek once passengers coming into South Washington would have poor street railway faflowed at that point, and the dig-cilities, when the citizens of Washington want to see the station erected at 7th gers have struck its bed, where street and Maryland avenue, on land now "river bottom" conditions prevail. owned by the railroads, where the street railway facilities would be of the best? the monument in such a swampy of Virginia are seeking to have answered. and obscure place is said to be As yet, according to Mr. Carlin, they have developing, especially among vet- of Congress are determined to make a fight for the location of the station on the 7th street and Maryland avenue site. The The removal of the trio of historical Virginia patrons of the railroads entering und memorial trees in the Potania Cor. Washington regard the proposed 14th den to clear the way for the site of the as could well be selected. The Virginia Grant monument is said to have further commuters have appealed to Senator Maran investigation of the facts in the case and an inspection of all the proposed sites great pile of memorial marble and metal. they are understood to be agreed that the 7th street location, aside from the fact ers and workmen employed by Isaac that the railroad owns the land is essential in reaching the heart of the city promptly and without the payment of two

Apparent Indifference.

Representative Carlin this morning discussed the matter at some length with a

the people of Washington have apparently the Carlin resolution requesting the Combeen so indifferent to the fact that Con- missioners to enlighten Congress as to gress, in the act of 1903, provided that the status of the additional station proj- WOMAN FOUND DEAD AND HUS-Washington should not only have one with its reminiscences of great Americans large, handsome and modern union rail- stood that the subcommittee took this who were fond of the institution and its way station, but should also have a railway station in the southern part of the city, somewhere north of the Long bridge. layer earth was placed in the bed of the The Commissioners are authorized to determine the location of this station, and despite the fact that Congress appropriated as a contribution to the proposed railway improvement the sum o \$1,500,of a little more than six feet about the (M), and provided that the work should be BEFORE SENATE DISTRICT COMcompleted by February, 1908, nothing has been done toward the construction of the

station north of the bridge. "Recently, when the question of turnng over to the rairoad company this \$1 -500,000 was being considered by the Commissioners, it was learned that the reason for the delay in beginning construc- tee at its regular meeting tomorrow morntion of the station north of the bridge was ing is the anti-race track gambling bill. due to the fact that the Commissioners The Carter subcommittee was instructed had selected as a site for the station a piece of property belong ng to the United States government and that Congress was to be asked by the railroad company to the committee favors immediate favorable make the urther donation of this particu- action and report to the Senate.

"It was argued before the Commissiondonation and as a consequence the arbling the site in question might forever pre- Benning road. vent the building of the additional station.

Stipulation of Railway Act.

two railroad stations, but, despite this amendment put on in the House. It is himself. and the fact that five years have elapsed since the passage of this act, Washington obstacle was feared by Senator Carter, has only one station-even that not com- but has disappeared upon investigation.

very beginning of the session requiring exist. the construction and completion of the strip of ground thirty feet wide in the Special Dispatch to The Star. months from the passage of the measure. was feared that as this strip is already At the same time I also introduced a used for a quasi-public purpose by the resolution requesting the District Com- rallway company, the District was demissioners to inform Congress why this barred from condemning it for roadstation had not been erected. The Com- widening purposes. missioners replied, in effect, that the station would be erected in the near future. But they did not disclose the fact that authorizing the company to extend its

erty, and that delay was due to the failure of Congress to make this additional contribution of land. "I understand that plans have been approved for a station to cost \$80,000. Washington is entitled to this station, and the whole southern travel that comes into and goes out of Washington could be accommodated thereby. There is no reason He Was Successfully Operated on for why the Commissioners should recommend the erection of the station on a site owned by the government, as at 7th

street and Maryland avenue-the southeast corner-there is a splendid site for the station on railroad-owned land, which is immediately upon the 7th street car line where passengers could easily be distributed to any part of the city. "The site selected by the Commissioners

"The citizens of South Washington ob-

jected to the proposed site at 8th street

Rests With Commissioners.

"The Commissioners have the power to immediately secure this additional station for the people of Washington and the 7th street car line.

The railroads claim that the proposed Sth street site was on heavy grade and Being asked as to the chances of the that stops could not be conveniently val constructor, Henry Williams, most on a dead level, and is free from the station, and not allow the railroad com-

Carlin Resolution Tabled.



"It is a surprising fact," said he, "that recommended to the full committee that ect be laid on the table. It is underaction on the ground that the station project was "pending."

MITTEE TOMORROW.

to report on this measure tomorrow,

The bill may be passed at once by the Senate, instead of going on the calendar ers that Congress might never make the anl waiting its turn. It will then have to go to conference, as the Senate will doubtless amend it as to the widening of lar time today.

ng a majority of the subcommittee, met

understood that no legal objection to the measure has been discovered. Some such The legal obstacle which Senator Carter the passage of the bill has been found not to The railroad company owns a Washington station within six line of the proposed widening, and it It developed upon investigation, however that there was a clause in the act the site selected was government prop-tracks out to the Benning road which

SENATOR HANSBROUGH.

by act of Congress.

Mastoiditis Last Night.

Senator Hansbrough of North Dakota, last night at George Washington University Hospital by Dr. J. J. Richardson

where he was confined for several weeks,

Presidential Nominations. The President sent the following nomi-

master general, rank of lieutenant colo- the artist will have to appear in person nel, Maj. Francis L. Payson. Cavalry Arm-Second lieutenant to be

intry Arm-First lieutenant to be a captain, William E. Hunt, 8th Infantry. Navy.-Lieutenant to be a lieutenant commander. Walter S. Turpin. Ensigns to be lieutenants, junior grade, and lieu-Leahy, Harold R. Stark, William Ancrum and Charles E. Smith.

Assistant naval constructor to be a na-To be a hospital steward on retired list, Post Office.-To be postmasters-Maine, of all persons who are known to be mem- listed in a New Jersey regiment and objection of heavy grade. It seems to me Fred H. Atwood, Rumford date Rumford

Will Speak on Brownsville. Senator Foraker today gave notice that The steam railways subcommittee of the ate on the Brownsville affray.

BAND FATALLY SHOT.

PITTSBURG. April 9.-Mrs. Emma Reiss, aged thirty-two, wife of William ANTI-RACE TRACK BILL Reiss, aged thirty-two, wife of William F. Reiss, proprietor of the Old Econmy Hotel, at Economy station, near here, on the Fort Wayne railroad, was found dead in a pool of blood in bed at her home to- FRIENDS OF FREE WOOD PULP day, having been shot through the head. band with a dangerous pistol shot wound through his temple.

fair. Whether the shooting was done by tempted suicide is not known as yet. At The couple have no children and the room when neither his employer or his bill. wife made their appearance at the regu-

Reiss is forty-two years old Senators Carter and Burkett, constitut- been married fourteen years. late yesterday afternoon and decided upon confessed to Justice of the Peace E. G. attitude is that if a bill to take the duty "The act of 1903 solemnly determined two minor amendments, neither affecting Schell that he quarreled with his wife off wood pulp and print paper were inthat the city of Washington should have in any way the Sims anti-gambling last night and shot her. He then shot troduced it would open up the whole

> The condition of Reiss is critical. EARLE AND HIS AFFINITY

feared would prove a detriment to the Arrive in New York From Paris Today-Married Abroad.

NEW YORK, April 9.-Ferdinand Pinney Earle and his "soul sister," who publicans. If this effort fails, it is probprior to their marriage two weeks ago in Italy was Miss Julia Kuttner, arrived of the free wood pulp and free print here this morning on the steamship Fred- paper movement are much encouraged by erich der Grosse. Earle, still wearing a reason of the present situation. beard, sought to avoid attracting attention. After landing he and his "affinity" requires the corporation to dedicate the soon had their luggage looked over and, strip in question to the District for public jumping into a carriage, started away. House Cut Out \$950 From the purposes when the road shall be widened Earle, upon being recognized, refused to answer any questions.

weeks ago by the French courts to Earle's first wife, who was Emilie Fishbacker. Maughter of a Parisian publisher, and second Mrs. Earle is of a more robust when reported from the appropriations who is a member of the committee on the type of beauty and wears glasses. She committee. District of Columbia, was operated upon is a socialist and a settlement worker. The first disclosure of the affinity marriage was made known here yesterday in While in the west the latter part of Jan. of the pair, and was confirmed at the part of the House will be Representative dary an abscess appeared in Senator home of Mrs. Julia Kutner Earle's par- Gardner of Mich. Madden of Illinois, rereporter said he brought with him from at the foot of 14th street has no street Hansbrough's right ear, as a result of a ents, at 217 West 78th street. The publicans, and Burleson of Texas, demo-

sort of a ceremony of remarriage would has also been troubled with a bony in New York , where such alliances are years. This was also removed last night. Monroe, where Earle narrowly escaped Every thing points to a successful recov- being tarred and feathered last Septemof government property. The citizens of ery, but Senator Hansbrough will be con- ber when the news that he had cast off

surrounded his picturesque house and him with violence. master general to be assistant paymaster home, 12 East 57th street, last March.

in court. Whatever happens, the Earles will not, st lleutenant, Arthur G. Fisher, 14th their friends say, take up a residence

AFTER THE ANARCHISTS.

on timbers, greased blocks and rollers as ing the railroad authorities to construct tenants. Stephen C. Rowan, Samuel M. Paterson Officials Co-Operating With brick houses are moved. A great ball of the station on their own property near the Robinson. Ernest Friedrick, Lamar R. Uncle Sam for Extermination. Uncle Sam for Extermination. Special Dispatch to The Star. PATERSON, N. J., April 9.-Mayor Mc-

Bride has called on Chief of Police Bimson for a list of the names and addresses bers of the anarchist group in this city. served through the civil war. He was

now in Paterson. The recent actions of partment of the Grand Army.

on the advocates of bomb and violence. many of whom have left the city. Those that remain are keeping very quiet. Now that the publication of La Questione Sociale, the organ of the anarchist group here, has been abandoned, the mayor believes that there will be no further trouble with the anarchists here.

WANT CHANCE TO VOTE

CLAIM A MAJORITY.

It looks just now as if the prediction of John Sharp Williams, minority leader pulp and free print paper would be passed intervals he is conscious, but too dazed in the present session of Congress will to give an account of the tragedy. Phy- come true. A canvass of the House has and it is understood that a majority of sicians have hopes for his recovery, and demonstrated that every democrat and later today the authorities will make an eighty-odd republicans, comprising a majority of the House, are in favor of a shooting was discovered by a clerk em- measure of this sort, and only wait a ployed by Reiss, who forced open their chance to vote in order to pass such a

> has Pennsylvania are understood to be unalterably opposed to bringing in such a bill. After noon today Reis is said to have One of the reasons they mention for their tariff question.

> > reason given is silly, in view of the fact one of the special rules that are being used so lavishly these days and have the measure considered by the House without being subject to amendment. An effort is now being made by friends of the proposition to secure a leader for the fight from among the eighty-odd reable that John Sharp Williams will take command in person. At any rate, friends

DISTRICT BILL PASSED.

Amount Reported. The District of Columbia appropriation The marriage of Miss Kutner and the affinity artist followed right on the bill was passed by the House yesterday heels of a decree of divorce granted two afternoon, being the first measure to go through under the new gag rule adopted Former President Spffers With Cold by the majority. The bill, as passed, carpretty in a frail, flower-like way. The ried \$9,560,499.35, or just \$950 less than

ment to the District bill providing for 75-cent gas to the District government letters and cables to friends and relatives The conferees on the District bill on the Madden is, for he introduced the original complete recovery than anything else. 75-cent gas bill last session.

growth in his inner ear or a great many looked upon with less prejudice than in Historical Group to Be Placed Over Eastern House Entrance.

The pediment above the east entrance of the House of Representatives soon studio outside the village and threatened will be ornamented with an historical and hopes in a few days to be quite himgroup of statuary at a cost of \$75,000, if | self again." Earle himself was compelled to come the President does not dissent. A House here, as he wishes to tlaim the legacy bill for this purpose was passed by the of \$50,000 left him by his grandmother. Senate today, and it requires only the War.-Pay department-Deputy pay- Mrs. Elizabeth P. Earle, who died at her presidential signature to make it a law. The entrance to the Senate wing of the general, rank of colonal, Lieut, Col. George. To get this bequest and to put in a claim, Capitol is decorated in a way similar to that proposed for the House.

> WAR VETERAN'S SUICIDE. at Quaker Hill, the artist's place in Col. W. L. Delacey Kills Himself by Inhaling Gas.

> > Special Dispatch to The Star. POUGHKEEPSIE N. Y., April 9 .- Col. William L. Delacey, who was a boy soldier during the civil war, committed sul- Madison a solid delegation is claimed cide early this morning by inhaling gas for the Wisconsin senator. at his boarding house. He left a rambling letter, declaring that he had a homicidal mania and rather than commit homicide had decided to take his life. Col. Delacey at the age of sixteen en-

HAITI IN A FERMENT CONGRESS IS ASKED

Natives Want to Force American Intervention.

NO HOPE OF REVOLUTION

Merely Want Foreign Protection of ATTORNEY GENERAL'S VIEW Residents.

STATE DEPARTMENT IS QUIET

Determination Expressed to Adhere to "Hands Off" Policy-United States Interests Small.

PORT AU PRINCE, April 9.-There is reason to believe that measures are now being taken in this city to force the inervention of the United States if possiole. At the moment apparent tranquillity prevails, but there is good authority for the statement that hostility igainst the present Haitian government s growing more intense.

it is rumored, and the rumor is a very general one, that those who are opposed o the present government, including the setter classes of Haitians, contemplate a novement which will bring matters to a risis within a very short time. It is aid that they will take advantage of he presence in the harbor of the United States warships to make an armed deminstration, not in the expectation of overbrowing the government, but in the hope of precipitating a landing of marines, and subsequently American intervention.

People in Terror.

A prominent Haitlan official, who is said today:

"At present conditions here are intoleracontinue beyond a few days. Prompt intervention on the part of the United States, or some other power, is the only means of avoiding a condition of absolute anarchy.

"The Haitian people are not able to naintain a stable government. The better educated of them realize this, and they would gladly accept provisional American control, if only as a guarantee of protecdon of life and property. I' do not believe that there exists a single Haitlan capable of exercising constitutional control as president. The present government is merely a military dictatorship. perpetuating its power through sheer ter-

"What ground has the United States to That is the question which is invariable put by officials of the State Department ported desire for American intervention constantly indicated in press dispatches from Port au Prince and European

That the United States has no ground to interfere with the Haitian government is made clear at the State Department. The only exception to the traditional policy of non-interference would be in case American interests were in jeopardy, and it is added significantly that American interests in Haiti are infinitesimal. The evident intention to adhere to the

policy of "hands off" in Haiti is declared to be in accordance with the general and broader policy of the United States government, that of discouraging revolutions publication itself, and the antecedents in the western hemisphere. To further or purposes of its publishers, except in that policy revolutionary refugees are de- so far as these are indicated by the alnied asylum in United States legations. Minister Furniss is keeping the State Department fully informed as to the situation. His reports contain nothing, it is said, to justify any step toward intervention by the American government.

LIQUOR FORCES BEATEN.

Alabama Supreme Court Holds Prohibition and Closing Laws Valid. MONTGOMERY, Ala., April 9.-The Alabama supreme court today held both the general prohibition and the 9 o'clock closing laws to be constitutional and effective. Attack had been made on both by all the material facts respecting the pethe liquor forces of the state.

The two laws were argued together and decision is taken by both sides to settle the questions. Mobile interests have understand your instructions as directing fought the two provisions from the first, holding that both will be ruin to a coast

In upholding the general prohibition act translated in the clipping sent me. the court also gives validity to the local option law that was involved in the cases

CLEVELAND SICK ABED.

and Rheumatism. NEW YORK, April 9 .- Grover Cleveland is again suffering from the cold and rheumatism which have been troubling him for several months past. He has been wood, Lakewood, N. J., for ten days. Mrs. Cleveland is with ner husband and novance. She believes that rest from all affairs will do more toward her husband's tribute them as mail matter. That Mr. Cleveland's condition is not

notel physician. . LAKEWOOD, N. J., April 9 .- Mrs. eriously ill, said:

hat he requires only the attention of the

All Claimed for La Follette. dispatches to the Milwaukee afternoon

papers indicate the election of Walter acter of his utterance is not affected by Alexander of Wasau as Taft delegate the fact that he failed to designate any to the republican national convention. officer or enlisted man of the army or mi-It is said that the race for the second litta among his intended victims. delegate in the tenth is so close that an official count will be necessary. In the eighth district George W. Paine, a Taft supporter, is running a nose-to-nose be hardly a clearer or stronger case of a race with Torrison of the La Follette seditious libel at common law. slate. At La Follette headquarters in

To Name Watson's Successor.

SHELBYVILLE. Ind., April 9.-Republicans of the sixth district met here the paper in question, supposing it to be today to nominate a candidate for Connorth, and said, as a rule, they had that the people of Washington ought to Falls). New Hampshire, Forrest W. Pea- It is believed that the mayor will turn taken prisoner, confined in Libby prison gress to succeed James E. Watson, reover this list to the federal government, and at Belle Isle, and was twice wound- publican candidate for governor. With United States have no jurisdiction in the practiced law in Poughkeepsie. He was lutions adopted at the forenoon session presidential nomination.

TO CHECK ANARCHY

Weather.

Fair, cooler tonight. Tomor-

row fair, warmer.

President Says Additional Legislation Is Needed.

Gives Opinion in Case of "La Questione Sociale."

PRINTED "SEDITIOUS LIBEL"

Mr. Bonaparte Declares Problem Is Serious One, But Says Paper's Exclusion From Mails Is

Justifiable.

Suppression of Anarchy The Most Urgent Need.

"To the Senate and House of Rep-

resentatives: "I herewith submit a letter from the Department of Justice which explains itself. Under this opinion I hold that existing statutes give the President the power to prohibit the Postmaster General from being used as an instrument in the commission of crime-that is to prohibit the use of the mails for the advocacy of murder, arson and treason; and I shall act upon such construction. Unquestionably, however, there should be further legislation by Congress in this matter. When compared with the suppression of anarchy, every other question sinks into insignificance. The anarchist is the enemy of humanity, the enemy of all mankind, and his is a deeper degree of criminality than any other. No immigrant is allowed to come to our shores if he is an anarchist; and no paper published here or abroad should be permitted circulation in this country if it propagates anarchistic

"THEODORE ROOSEVELT. "The White House, April 9, 1908."

President Roosevelt has transmitted to Congress an opinion he has received from Attorney General Bonaparte as to criminal prosecution of anarchists, accompanied by the memorandum given above. The President some time ago inquired of the Attorney General if it was possible to criminally prosecute the men interested in publishing the anarchist newspaper La Questione Sociale of Paterson, N. J., when inquiry is made concerning the re- which, by the President's order, has been excluded from the mails for advocating

murder by the use of dynamite. Mr. Bonaparte's Opinion.

The Attorney General says: "I have carefully examined the law relating to the subject matter of your letter of March 20, and in accordance with your direction submit the following report thereon. I must premise, however, by saying I have not sought information as to the accuracy of the translation of the article, nor yet as to the character of the leged passage in the same article herein-

before set forth. "If this publication does not come within the class of periodicals entitled to transportation in the mails as mailable matter of the second class, for reasons other than the sentiments it expresses, or the illegal or immoral character of its contents, the Post Office Department has ample authority to deny it admission to the mails, and I am informed that in fact this has been done for reasons altogether independent of the peculiar characteristics of the alleged article called to your attention. Moreover, while it would be appropriate, of course, to ascertain riodical concerned or the individuals responsible for its publication before instituting proceedings of any kind which might affect their rights or interests, I a report upon the assumption that the alleged newspaper in question, and others of a similar character, habitually publish articles substantially similar to the one

The President's Questions.

"Your letter asks in substance: "First, Whether the publication of such articles constitutes a criminal offense on the part of the publishers.

"Second. Whether this offense is punishable by the federal courts. "Third. Whether such publications are criminal or excluded from the mails by any existing statute of the United States. "Fourth. Whether, if they are not, the Congress can constitutionally enact a law

or laws providing for their exclusion and their treatment as crimes. "Fifth. Whether, in the existing condition of the law, the Postmaster General can be compelled to admit such publications to the mails and transport and dis-

"1. The article in question, supposing it to have been accurately trans stitutes a seditious libel, and its publicaalarming may be imagined from the fact tion, in my opinion, is undoubtedly a crime at common law. "In the publication you have called to

my attention, all persons reading it are Cleveland, when asked this morning con- urged to procure arms, to seize or, if erning the rumor that Mr. Cleveland was that be impossible, to destroy by dynamite certain public buildings; to resist forcibly "Mr. Cleveland has been ill during the and, if practicable, kill police officers enlast week, but is much better this week, deavoring to discharge their duties as such, and also all the military forces which might be sent to aid in the restoration of order. It is immaterial whether the writer referred to the regular army of the United States or to the organized MILWAUKEE, Wis., April 9 .- Special militia of the state of New Jersey in this connection, and the criminal charparticular policeman or any individual

"In this instance the publication not only suggests but urges arson, murder, riot and treason against both the state and the national governments. There can

"It is quite clear, however, that such a publication constitutes no offense against the United States, in the absence of some federal statute making it one. "From the foregoing considerations I

conclude: "That the printing and circulating of correctly translated, was clearly an offense at common law. "That of this offense the courts of the

which is securing all the information pos- ed. He was admitted to the bar of New six candidates for the nomination the con- absence of any act of Congress declaring sible about the anarchists throughout the York state in 1879, and since then had test promised to be prolonged. The reso- it a crime and authorizing its punishment. "In compliance with your instructions I According to the police there are not a prominent G. A. R. man. In 1892 he was of the convention strongly indorsed Vice have very carefully investigated the statnext Tuesday he would address the Sen- more than twenty-five real anarchists senior vice commander of the state de- President Charles W. Fairbanks for the utes of the United States to see if they contain any provision making such a pub-